

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

GEORGE W. SCHWAN,

Case No.: 3:17-bk-00912-JAF

Debtor.

Chapter 7

**AMENDED NOTICE OF TAKING DEPOSITION
DUCES TECUM OF LINDA DIAMOND**

To: Linda Diamond
c/o Christian W. Waugh, Esq.
13940 U.S. Hwy 441, Suite 906
The Villages, FL 32159

PLEASE TAKE NOTICE that pursuant to Federal Rules of Bankruptcy Procedure 7030 and 9016 and Federal Rule of Civil Procedure 30, on **Thursday, November 2, 2017, 1:00 p.m.**, at the offices of Akerman, LLP, 401 East Jackson Street, Suite 1700, Tampa, Florida 33602, counsel for Aaron R. Cohen, Chapter 7 Trustee, will take the deposition of Linda Diamond, in her capacity as Personal Representative of the Estate of Benjamin Diamond, as Successor Trustee of the Benjamin Diamond Revocable Trust dated 12/30/2003, and as President of Diamond Neon Supply Company, a Florida corporation.

This deposition will occur upon oral examination pursuant to the Federal Rules of Bankruptcy Procedure before court reporters duly authorized by law to take depositions. This deposition will be recorded by stenographic means. Said deposition is taken for discovery purposes, for use as evidence at trial, or both. The oral examination shall continue from day to day until completed.

This deposition is being taken *duces tecum* and the deponent is directed to have with her at the time of said deposition the documents listed on the attached Exhibit A.

Dated: October 11, 2017

AKERMAN LLP

By:/s/ Jacob A. Brown

Jacob A. Brown

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Attorneys for Aaron R. Cohen, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished either by electronic notification or by United States mail, postage prepaid and properly addressed, this 11th day of October, 2017 to:

George W. Schwan
1823 Barksdale Drive
The Villages, FL 32162-7007

David S. Jennis, Esq.
Eric D. Jacobs, Esq.
Jennis Law Firm
400 North Ashley Drive, Suite 2450
Tampa, FL 33602

Aaron R. Cohen, Chapter 7 Trustee
P.O. Box 4218
Jacksonville, FL 32201-4218

United States Trustee - JAX 13/7
Office of the United States Trustee
George C. Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801

Christian W. Waugh, Esq.
13940 U.S. Hwy 441, Suite 906
The Villages, FL 32159

/s/ Jacob A. Brown
Attorney

Exhibit A

1. All written documents that you allege support all of the proceedings supplementary claims arising out of the case styled *Linda Diamond, et al. v. George W. Schwan*, Case No. 11-003902-ES in the Sixth Judicial Circuit Court in and for Pinellas County, Florida, Probate Division.
2. All written documents that you allege support the claims asserted in the Motion to Dismiss Chapter 7 Case Pursuant to 11 U.S.C. § 707 (Doc. 27) ("Motion to Dismiss").
3. All written documents that you allege support the claims asserted in the Motion for Reconsideration (Doc. 46) ("Motion for Reconsideration") of the Order Granting Trustee's Amended Motion for Approval of Settlement Agreement.
4. All written documents that you allege support the claims asserted in the October 4, 2017 Objection (Doc. 45) to the Trustee's Amended Motion (Doc. 38) for entry of an Order approving the terms of the settlement agreement.
5. All written documents you intend to introduce at the January 11, 2018 trial on the Motion to Dismiss, Motion for Reconsideration, and Trustee's Amended Motion (Doc. 38).